

HON. ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMAZON.COM, INC.,

Plaintiff,

v.

DISCOVERY COMMUNICATIONS, INC.,

Defendant.

Case No. 2:09-cv-00681-RSL

**JOINT STIPULATION AND MOTION  
FOR ORDER TO EXTEND CERTAIN  
DEADLINES**

NOTE ON MOTION CALENDAR:  
January 14, 2010

WHEREAS currently scheduled deadlines in this matter include the following:

(1) Pursuant to this Court's order dated December 9, 2009, the deadlines for the parties to –

- Exchange Proposed Terms and Claim Elements for Construction is January 15, 2010, pursuant to Local Patent Rule 130; and
- Exchange Preliminary Claim Constructions and Extrinsic Evidence is February 5, 2010, pursuant to Local Patent Rule 131; and

(2) Pursuant to this Court's order dated January 7, 2010, the last day to move to join parties and amend pleadings is January 18, 2010;

WHEREAS, in order to permit the parties additional time to exchange proposed claim terms and constructions closer to the deadline to submit their joint claim construction statement and to facilitate better submissions for the Court's benefit (and without adversely

impacting the Court's Scheduling Order), Defendant Discovery Communications, Inc. ("Discovery") has proposed extending the deadline to exchange proposed claim terms and elements for construction to February 5, 2010, and extending the deadline to exchange preliminary claim constructions and extrinsic evidence to February 25, 2010;

WHEREAS Discovery has filed a Motion for Summary Judgment of No Infringement (Doc. No. 40), and Discovery's production of discovery in connection with that motion is ongoing; and

WHEREAS, Plaintiff Amazon.com, Inc. ("Amazon") believes that such discovery will inform the joinder of additional parties and amendment of pleadings;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by undersigned counsel for Plaintiff Amazon and Defendant Discovery, subject to the approval of the Court, that:

- The parties will Exchange Proposed Terms and Claim Elements for Construction on February 5, 2010, pursuant to Local Patent Rule 130;
- The parties will Exchange Preliminary Claim Constructions and Extrinsic Evidence on February 25, 2010, pursuant to Local Patent Rule 131; and
- The last day to move to join parties and amend pleadings shall be extended to January 29, 2010.

Dated this 14<sup>th</sup> day of January, 2010.

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**ORDER**

IT IS SO ORDERED, this \_\_\_\_ day of January, 2010.

\_\_\_\_\_  
JUDGE ROBERT S. LASNIK

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies as follows:

I am employed at Corr Cronin Michelson Baumgardner & Preece LLP, attorneys of record for Plaintiff herein.

On January 14, 2010, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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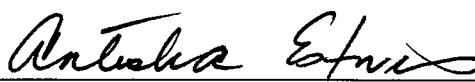
*Attorneys for Defendant Discovery Communications, Inc.*

and I hereby certify that I have delivered via U.S. Mail the document to the following non CM/ECF participants:

N/A

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED: January 14, 2010 at Seattle, Washington.

  
\_\_\_\_\_  
Antesha Esteves